

REMARKS

Status of the claims

Claims 1-4 and 6-14 were previously pending in the application. Claims 1-4 and 6-14 were rejected in the Office Action dated March 27, 2007. Claims 1, 7, and 13 are amended in this paper. No new matter has been added.

Applicant respectfully submits that the amendments to the claims and the remarks below have overcome the basis for all rejection(s) and or objection(s) and place this application and all pending claims in condition for allowance. Accordingly, applicant respectfully requests allowance, and reconsideration of the rejection(s) and or objection(s).

Information Disclosure Statement

The Information Disclosure Statement and information contained in the 1449 form submitted on March 9, 2007 has not been considered by the Examiner. Applicant hereby resubmits the statement and the authorization to charge the required fee in a separate paper.

Rejections and Response to the Rejections

Claims 1-4 and 6-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Colting, U.S. Patent No. 5,125,177 in view of Vicino, U.S. Patent No. Re 33,709. Applicant respectfully submits that Claims 1-4 and 6-14 are patentably distinct from the cited references considered separately or in combination.

Amended independent claim 1 recites, *inter alia*:

“A cold-air inflatable display comprising:
a permeable fabric forming an inflatable figure with a hollow body;
an interchangeable fan assembly ...;
a lighting arrangement extending through an interior portion of said hollow body, ...; and
a second power cord extending from said fan for connection to a power source;
wherein said interchangeable fan assembly is a **lightweight assembly**
configured to be elevated above said surface-touching bottom of said

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hollow body without a base support and without distorting said figure when said cold-air inflatable display is inflated.”

(Emphasis supplied). Applicant submits that the cited references, combined or alone, fail to teach, disclose or suggest the elements recited in amended Claim 1, or any of the similar independent Claims 7 and 13, or the claims which depend therefrom. The emphasized claim elements are discussed in detail below as clear points of patentable distinction over the cited references.

Neither the cited Colting reference, nor the cited Vicino reference, teach, disclose or suggest separately or in combination an interchangeable lightweight fan assembly “configured to be elevated above said surface-touching bottom of said hollow body without a base support and without distorting said figure when said cold-air inflatable display is inflated.”

Colting discloses that the base portion of the inflatable display contains an electrically powered blower. In Colting, the electrically powered blower is shown to be secured to the side of the base portion 12 of the inflatable display 10. However, there is no teaching, disclosure or suggestion of an interchangeable fan assembly secured to an inflatable display which is configured to be elevated above a surfaced touching portion of the display when the inflatable display is inflated.

In view of a search undertaken by Applicant, Applicant respectfully submits that the inflatable display of Colting would not be able to elevate the Colting blower above a surfaced touching portion of the inflatable display without a base support when the inflatable display is inflated if the Colting blower were secured directly to the inflatable display. Applicant’s search uncovered that the motor of the blower disclosed by Colting, the Dayton Model 8C338 blower, alone weighs 4.47 lbs. (a copy of the Engineering Drawing of the Dayton Model 8C338 blower, which was previously submitted in the February 28, 2007 response, is attached herewith). There

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are additional parts to the Dayton 8C338 blower, such that the entire weight of the Colting blower is likely to be heavier than 4.47 lbs. Applicant submits that it is not possible for the inflatable materials of Colting to support a fan assembly weighing 4.47 lbs. or greater without additional base support when the inflatable display is inflated. Thus, Colting does not teach, disclose or suggest “a lightweight [fan] assembly configured to be elevated above said surface-touching bottom of said hollow body without a base support and without distorting said figure when said cold-air inflatable display is inflated,” as recited in Applicant’s Claim 1.

Vicino fails to remedy this deficiency. There is absolutely no teaching, disclosure or suggestion in Vicino of such a lightweight interchangeable fan assembly. Vicino simply discloses a “squirrel-cage blower 21 installed on the floor of the chamber 6” (col. 2, lns. 49-50). As both Colting and Vicino fail to teach, disclose or suggest, alone or in combination, at least a lightweight assembly “configured to be elevated above said surface-touching bottom of said hollow body without a base support and without distorting said figure when said cold-air inflatable display is inflated,” the cited references fail to teach, disclose or suggest at least the recited element of the asserted claim. Similar analyses apply to dependent claims of independent Claim 1, as well as independent Claims 7 and 13, and claims depending therefrom.

Finally, Applicant submits that there is no teaching, suggestion or motivation to combine the cited references to arrive at the current invention. As stated in MPEP § 2134.01(*I*), even if “[t]he combination of the references taught every element of the claimed invention, however, without a motivation to combine, a rejection based on a *prima facie* case of obvious was held improper.” MPEP § 2134.01(*I*) citing *In re Rouffet*, 149 F.3d 1350, 1357, (Fed. Cir. 1998). Applicant submits that there is no motivation, teaching or suggestion to combine the woven fabric of Vicino with Colting to create a display wherein a lightweight blower is configured to be

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elevated above a surface-touching bottom of the inflatable display without a base support and

without distorting the shape of the inflatable display when the inflatable display is inflated.

Indeed, Colting teaches away from such a display by using a heavy blower which would distort

the inflatable display if it were secured directly thereto above a surface touching portion of the

display without a base support. (If proposed modification would render the prior art invention

being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *See* MPEP § 2143.01(V), citing *In re Gordon*, 733 F.2d 900,

221 U.S.P.Q. 1125 (Fed. Cir. 1984)). Accordingly, Applicant respectfully requests the rejection

under 35 U.S.C. § 103 be withdrawn.

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CONCLUSION

Applicant respectfully requests reconsideration in view of the foregoing amendments and remarks. Further, Applicants respectfully submits that the claims as presented herein are allowable over the art of record and that the application is in condition for allowance, which action is earnestly solicited.

The Examiner is invited to contact the undersigned at the telephone number below, should that in anyway facilitate prosecution.

Applicant believes no fee nor extension of time is required for this filing. However, should an extension of time be necessary to render this filing timely, such extension is hereby petitioned and the Commissioner is hereby authorized to charge any additional fees which may be required for this paper, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 4600-4001.

Respectfully submitted,
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